

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ANGELA STUDDARD, individually and as
lawful wife, next of kin, administrator ad
litem, and personal representative for
EDMOND STUDDARD, Deceased, and
Estate of Edmond Studdard,

Plaintiff,

v.

SHELBY COUNTY, TENNESSEE;
SHERIFF WILLIAM OLDHAM, in his
capacity as Sheriff of Shelby County,
Tennessee; SHELBY COUNTY SHERIFF'S
OFFICE; ERIN J. SHEPHERD, individually
and as employee or agent of Shelby County,
Tennessee; and TERRY I. REED, individually
and as employee or agent of Shelby County,
Tennessee,

Defendants.

Civil Action No.
2:17-cv-02517
Jury Demanded

DECLARATION OF KYLE LANE

Kyle Lane declares as follows:

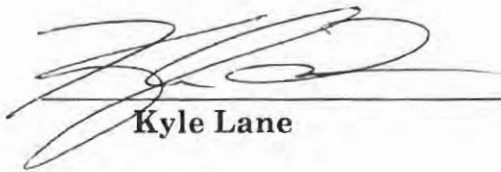
1. I am over eighteen (18) years of age and have personal knowledge of the matters contained in this Declaration.
2. I am a Sheriff's deputy for the Shelby County Sheriff's Office ("SCSO"), and was an SCSO deputy at all times relevant to this Declaration.

Exhibit F

3. Attached hereto is a true and correct copy of my statement given to the SCSO Board of Professional Standards and Integrity. The statement, which consists of five (5) pages, was given on July 8, 2016.

Declaration under 28 U.S.C. § 1746

I declare under penalty of perjury that the foregoing is true and correct.



Kyle Lane

Date: August 30, 2018

TODAY IS FRIDAY, JULY THE 8TH, 2016. THIS IS DETECTIVE KEVIN LITTLE WITH THE SHELBY COUNTY SHERIFF'S OFFICE BUREAU OF PROFESSIONAL STANDARDS. I'M HERE AT 1080 MADISON UH TO INTERVIEW DEPUTY KYLE LANE IS THAT CORRECT?

Biv-037-16

1 LANE: Lane.

2 LITTLE: Uh okay I have here with me to assist me Deputy Jenifer Peterson. State your S number
3 for the record please ma'am?

4 PETERSON: 7964.

5 LITTLE: Okay also present is Sgt. Dan Chapman will you state your S number for the record
6 please?

7 CHAPMAN: 5243.

8 LITTLE: Okay uh Deputy Lane I have you here today because you were listed as a witness uh in
9 an officer involved shooting that happened on Big Orange and Macon. Tell me what
10 happened with the situation? What kind of call went out and what happened when you
11 responded?

12 CHAPMAN: Excuse me, Sir I do have a quick question.

13 LITTLE: Okay you have a question?

14 CHAPMAN: Uh yes is Deputy Lane being ordered to give this statement as a condition of his
15 employment?

16 LITTLE: Yes he is.

17 CHAPMAN: Um and you stated Deputy Lane was a witness in this investigation?

18 LITTLE: He's a witness.

19 CHAPMAN: That's all I have at this time, thank you.

20 LITTLE: Okay alright um go ahead.

21 LANE: I got a call about 12:45 about an accident hit and run um I was the only one dispatched to
22 it. I was driving down Cordova Park. As I was turning on Big Orange I saw a male white
23 walking on the opposite side of the street and originally didn't think anything of it cause it's
24 not illegal to walk down the street. He was walking away from the business that I was
25 going to I believe the address was 1175 and as I was pulling in um five or six people came
26 out of the business and were telling me that's him that's him that's the guy so in my mind
27 I'm thinking okay this is my hit and run suspect nothing more to it.

28 LITTLE: Um hmm.

29 LANE: Well as I turned around on my bike I'm leaving the driveway and as I'm pulling out of the
30 driveway somebody yells he slit his wrist. And so I start pulling towards, towards his
31 direction and she still walking away from me and I said hey man come here and talk to
32 me. And he looked back at me and he just turned around and kept on walking. Well as as
33 he was walking away from me I look down at his wrist and sure enough he had two marks
34 across both both hands that were going across where it looked like he tried to cut himself
35 and he was bleeding down his hand. Both hands, his arms and I said again a second time
36 hey man just stop come here and talk to me. And he turned around looked at me didn't
37 say anything and the he opened up his right hand and in his right hand there was a black
38 folding knife.

39 LITTLE: Um hmm.

Statement BN-037-16 Lane (Cont'd)

40 LANE: And at this time I backed off a little bit and I said hey man put the knife down. Just come
41 on let's talk about this and he about that time he started running and I that's when got on
42 the radio and I called and let dispatch know cause as far at that point dispatch thought this
43 was a; to my knowledge dispatch only thought this was a hit and run accident. So that's
44 when I got on the radio and told them what was going on.

45 LITTLE: What did you tell dispatch?

46 LANE: Um just told them that I had a male white walking northbound Orange Mound. He had two
47 cuts to his wrist and he was carrying a knife and he's not listening to my instructions. I
48 need some more cars.

49 LITTLE: Okay.

50 LANE: And so or they understood I needed back up.

51 LITTLE: Okay.

52 LANE: And about that time the I heard the 2900 units key up and say they were relatively close in
53 the area and coming to me. So I let dispatch know I'm just gonna I'm the only one with the
54 guys at this time so I'mma stay on my bike and keep say about 15 20 yards back he's not
55 aggressive towards me he's just walking away.

56 LITTLE: Right.

57 LANE: So he continues to walk I'm still trying to talk to him. This guy is not to me it appears he's
58 not comprehending anything I'm saying. He's not acknowledging my commands. He's
59 doing what he wants to do. He's walking down the road.

60 LITTLE: Um hmm.

61 LANE: So I just stayed back I'm getting all the information over the radio. Um we get almost to
62 Macon and I let the PCR units know that he's got a knife in his right hand. Be very aware
63 of that and he's obviously not in the right state of mind and right as we're probably I don't
64 know we were almost to Macon Road and about that time three or four PCRU cars come
65 around the corner and we kind of I guess pin the guy in. I'm coming from this way they're
66 coming from the opposite way. He steps up on to the grass and he's still not from what I
67 heard he's still not still has not said anything and he's just; we're telling him to stop um as
68 soon as they park their cars I throw my bike down rip my helmet off throw it, draw my gun
69 out I'm punching out on him. We're all giving him commands to drop the drop the knife.
70 He's not listening. He's not doing his thing. Um well one of the officers yelled to him he
71 says if you do not drop your weapon then we are going to shoot.

72 LITTLE: Um hmm.

73 LANE: And he his back is facing the wall or the the fence.

74 LITTLE: Stop right there.

75 LANE: Yes, Sir.

76 LITTLE: We're gonna clear up something that could be misconstrued. When you say you drew
77 your weapon you punched out on him. What do you mean you you pointed your weapon
78 at him or did you punch him?

79 LANE: No no I drew my weapon out and pointed it at hm.

80 LITTLE: Okay alright. Go ahead.

81 LANE: And there was he had he was facing us and his back was to the fence and one of the
82 officers he wasn't listening to what we were saying. We told him to drop the knife. He
83 wouldn't do it and um one of the officers said if you do not drop the knife we're gonna

Statement BN-037-16 Lane (Cont'd)

84 shoot you. Well at that time his whole demeanor changed. He brought the knife up I
85 believe I don't know 100% but what I perceived to be his left hand came up to his neck
86 and then started in a forward motion saying well before he did that he said that's what it
87 want. And then started in the forward motion.

88 LITTLE: Um hmm.

89 LANE: To what I perceived is him about to slit his wrist or his neck.

90 LITTLE: Um hmm.

91 LANE: And with his knife the knife started going forward he that's when the shots were fired and
92 after the shots were fired he went straight to the ground. Well what also what I noticed
93 when his neck when he had his knife up to his neck well I was zoned in on that knife. That
94 was all I was looking at. Tunnel vision I was looking straight at that knife.

95 LITTLE: Um hmm.

96 LANE: Well when he was doing that he was I don't know if he was walking I don't know but his
97 upper I know his upper shoulders I know his upper shoulders were moving I don't know if
98 he was pacing or what he was doing but I just saw that knife and then as soon as it
99 started going forward on his neck that's when the shots were fired and he went straight
100 the ground.

101 LITTLE: Did he ever come down with that knife?

102 LANE: When he hit the ground the knife was still in his hands.

103 LITTLE: Okay.

104 LANE: And that's when the officers we immediately when he went to the ground we went um up
105 to him. We removed the knife from his hands um. Deputy Sheriff Sheppard was behind his
106 neck. I was to his left and she was trying to get a tampon for the neck wound to stop the
107 bleeding. I ripped his shirt off to check for other wounds and to make sure he was
108 breathing which he was. And we immediately called for an ambulance and stayed there
109 with him until the ambulance got there.

110 LITTLE: Yea. When you indicated that he had the knife to his neck did he he ever come down with
111 the knife prior to him falling or did he I guess what I'm trying to find out is did it appear that
112 he um was about to lunge at the officers or possibly?

113 LANE: I can't tell for sure.

114 LITTLE: You can't tell?

115 LANE: From what I saw for sure the knife was coming forward and he was his upper bod was
116 moving I guess I had the classic case of tunnel vision.

117 LITTLE: Okay. Do you know about how far he was from the officers?

118 LANE: That shot?

119 LITTLE: When he was shot?

120 LANE: No, Sir. I know he was about 15 20 or 10 to 15 yards from me.

121 LITTLE: Okay.

122 LANE: Now I knew they were over to my left but I don't know the exact distance what they were.

123 LITTLE: I got you, okay. I don't have any other questions do you have any questions Detective
124 Peterson?

Statement BN-037-16 Lane (Cont'd)

125 PETERSON: Yes when he um you said his back was to the fence so as he walking; did he walk
126 towards y'all while he had the knife up?

127 LANE: Not that I saw.

128 PETERSON: You don't remember?

129 LANE: His back was to the fence and I was looking up at his neck when he brought it up here.

130 PETERSON: You didn't know if he was walking or not?

131 LANE: I know his shoulders were moving but I was looking to the upper part of his body I didn't I
132 didn't.

133 LANE: No, Ma'am.

134 PETERSON: You had tunnel vision?

135 LANE: Right.

136 PETERSON: Okay was at any point was he acting erratic or moving the knife around?

137 LANE: No, Ma'am. He had it down by his side up until the point somebody said if you don't shoot
138 we're gonna shoot you that's the only time he brought the knife up to his neck and then it
139 went in the forward motion.

140 LITTLE: That if he doesn't do what?

141 LANE: If he don't put the knife down we're gonna shoot.

142 CHAPMAN: Yes slow down a little bit because I heard you say if you don't shoot we're gonna shoot
143 you.

144 LANE: No, no, no, no.

145 CHAPMAN: Just take a breath. Take a breath and pump the brakes.

146 LITTLE: I was gonna say did he have a gun too?

147 LANE: No, no, no, no.

148 CHAPMAN: I was gonna ask that in the follow up we got that on the record.

149 PETERSON: So you you were down by Cordova Park when you starting following him down Big
150 Orange towards Macon?

151 LANE: Um hmm.

152 PETERSON: You said the PCRU; did they come off Cordova Park or did they

153 LANE: No they came from Macon in the opposite direction as me.

154 PETERSON: All of them came from Macon?

155 LANE: All of them came from Macon.

156 PETERSON: Okay.

157 LANE: The ones that were immediately involved in it and I don't know where anybody else came
158 from but the three or four that responded to help me they all came from Macon.

159 PETERSON: Okay.

160 LITTLE: One other question um as a witness to this incident do you feel that all necessary means
161 were exhausted prior to those weapons being discharged?

162 LANE: Uh yes sir he wasn't listening to our commands at all.

Statement BN-037-16 Lane (Cont'd)

163 LITTLE: Okay I don't have any further questions. Sgt. Chapman do you have any questions?
164 CHAPMAN: Yea just a couple for clarification you already actually answered a couple of them I made
165 notes about the term punching out as a cop term meaning pointing your weapon at
166 somebody. Um we already cleared that and um when he had his back to the fence and
167 y'all were yelling commands at him and you advised in a previous comment during this
168 statement that an officer yelled you know for him to drop the knife or that y'all were gonna
169 shoot him; at that time were y'all approaching him trying to disarm him?
170 LANE: No. I wasn't. I don't know what anybody else was doing. I was standing still.
171 CHAPMAN: Okay and you said you were focused on the knife. You saw his upper body moving. He
172 may or may not have been approaching you. You don't know cause you were focused on
173 the knife?
174 LANE: Right.
175 CHAPMAN: Is that correct?
176 LANE: Correct that's all I say is his upper body moving and it looked to me what I perceived to be
177 he may have been pacing I don't know if he was taking a step but I did see the knife up.
178 CHAPMAN: Okay that's all I have.
179 PETERSON: Okay in reference to that if he may have been walking do you know where to other officers
180 were located to yourself and him?
181 LANE: I was over to the right he was kind of like a triangle. He was the point I was on one end
182 they were on the other end. I don't know the exact location.
183 PETERSON: So you don't know if he was actually like moving closer towards them?
184 LANE: I don't know no ma'am. I just know they were over here to my left.
185 LITTLE: That's it?
186 PETERSON: Yea I'm done.
187 LITTLE: You have anything else to add to your statement that may assist me in this investigation?
188 LANE: No, Sir.
189 LITTLE: Okay this will conclude the statement at this time.

I affirm this statement is true and correct to the best
of my knowledge and belief.

Deputy Kyle Lane, S

8-3-17
Date

Deputy Dan Chapman, S-5243

Date

190
191
192
193
194
195
196
197
198 Det. K. Little

Date

199
200
201 Det. J. Peterson

Date